



IN 10/087,222

3762  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Michael Kloss et al. Examiner: Kristen Mullen  
Serial No.: 10/087,222 Group Art Unit: 3762  
Filed: March 1, 2002 Docket: 279.287US1  
Title: THERAPY OPTIMIZATION IN HEART FAILURE PATIENTS BASED ON  
MINUTE VENTILATION PATTERNS

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**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
MS: Amendment  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Restriction Requirement dated September 29, 2004, Applicant elects, without traverse, to prosecute the invention of Species I. Applicant respectfully submits that claims 1 and 10 as originally filed read thereon. Applicant has amended claims 4, 5, 13, and 14 herein so that all of the pending claims now depend from either claim 1 or claim 10. Applicant reserves the right to reintroduce the amended claims as originally filed in one or more divisional applications.